UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/010,924	12/07/2001	Jukka Wallenius	915-408	5585

7590   02/16/2005

Francis J. Maguire
Ware, Fressola, Van Der Sluys & Adolphson LLP
755 Main Street
PO Box 224
Monroe, CT 06468

EXAMINER
AILES, BENJAMIN A

ART UNIT	PAPER NUMBER
2142	

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _07 December 2001_.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-31_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-31_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _07 December 2001_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-31 have been examined.

2.   The specification has not been checked to the extent necessary to determine the

presence of all possible minor errors. Applicant's cooperation is requested in correcting

any errors of which applicant may become aware in the specification.

Priority

3.   The papers required in order receive an earlier effective filing date have been

received. The effective filing date for the subject matter defined in the pending claims in

this application is June 11, 1999.

Drawings

4.   The drawings received on 12/07/2001 are acceptable for examination

proceedings.

Specification

5.   The disclosure is objected to because of the following informalities: On page 8,

line 17, the word "vie" is supposed to be "via." On page 14, line 25, the acronym "CSP"

is supposed to be "SCP."

      Appropriate correction is required.

Claim Rejections - 35 USC § 112

6.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

7.   Claims 1, 2, 5, 6, 7, 9, 16, 23, 24, 25, 26, 27, 29, 30, and 31 are rejected under

35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out

and distinctly claim the subject matter which applicant regards as the invention.

8.   Regarding claims 2, 5, 7, 23, 24, and 30, it is unclear to the examiner whether all

or some of the disclosed items written in the "and/or" style are meant to be included.

Appropriate correction is required. For examination proceedings, examiner assumes all

claims are in the alternative form.

9.   Regarding claims 1, 6, 9, 16, 23, 24, 25, 26, 27, 29, 30, and 31, it is unclear to

the examiner which parts stated in parenthesis are to be considered part of the claimed

invention. The limitations stated into the specification are not read into the claims. For

examination proceedings, examiner will ignore everything stated between parentheses.

10.   Regarding claim 16, the applicant's use of the word "partly" is improper because

it is unclear to the examiner as to how much of the subscribers profiles state is

maintained in either the service control entity or the GSM register. For examination

proceedings, the examiner will assume the use of either a service control entity or a

GSM register is deemed sufficient.

Claim Rejections - 35 USC § 102

11.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

12.   Claims 1-28, 30, and 31 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (U.S. 5,958,016), hereinafter referred to as Chang et al.

13.   Regarding claim 1, Chang et al. disclose a method for providing a user interface between a terminal device and a communication network for configuring intelligent network services, said network comprising:

- A service control entity and a server entity communicating with each other via an interface (col. 8, line 64 – col. 9, line 7).

- Said service control entity being connected to at least one service switching device establishing communication via at least one access network with said terminal device (col. 8, lines 56-64), and

- Said terminal device being provided with a browsing means adapted to communicate with a user of said terminal device via a man machine interface means, and adapted to communicate with said server entity, the method comprising the steps of (see Abstract, lines 1-5):

    o   Creating a content which constitutes a user interface for the control of a multiple subscriber profiles feature (col. 10, lines 43-50);

    o   User interacting with the content in that a user selects to modify supplementary service data (col. 20, lines 50-54);

    o   Determining, at the browsing means, which profile type is determined, wherein

- If the profile is determined to be intelligent network based, supplementary service information is communicated via said server entity to said service control entity (col. 10, lines 4-8 and 47-50), whereas

- If the profile is standard supplementary service based, a request for supplementary service registration is forwarded from the browsing means to the terminal device; and a command to register the supplementary service data is forwarded from the terminal device via a first service switching device to a second service switching device (col. 17, lines 14-27), and

- Modifying the state of the subscriber profiles in accordance with said user interaction (col. 10, lines 7-10).

14. Regarding claim 2, in accordance with claim 1, Chang et al. disclose the method wherein said states of the subscriber profiles comprises the identity of the profile designated as the registered profile, and/or service states, and/or profiles selected for incoming or outgoing calls, and/or the execution states of each service (col. 21, lines 20-27).

15. Regarding claim 3, in accordance with claim 1, Chang et al. disclose the method wherein the modifying the subscriber profiles state includes the selection of the profile to be used for an outgoing call (col. 22, lines 59-67 and col. 21, lines 31-38).

16.   Regarding claim 4, in accordance with claim 1, Chang et al. disclose the method
wherein the modifying the subscriber profiles state includes the selection of the profile to
be used for an ingoing call (col. 22, lines 59-67 and col. 21, lines 31-38).

17.   Regarding claim 5, in accordance with claim 1, Chang et al. disclose the method
wherein said services states comprise service activity/inactivity and/or service
parameters for each service (col. 21, lines 31-38).

18.   Regarding claim 6, in accordance with claim 1, Chang et al. disclose the method
wherein said content is loaded into said terminal device in response to a predetermined
event (col. 21, lines 17-24).

19.   Regarding claim 7, in accordance with claim 6, Chang et al. disclose the method
wherein said predetermined event is an IMSI attach, and/or a location updating, and/or
a switching on of a new terminal for the user, and/or a subscriber profile registration
request, and/or a supplementary service activation I deactivation request, and/or a
terminal device originated call set-up request, and/or a terminal device terminated call
set-up request (col. 21, lines 17-24).

20.   Regarding claim 8, in accordance with claim 6, Chang et al. disclose the method
wherein said loading is effected from a subscriber identity module (SIM) to said terminal
device mobile equipment part (col. 5, lines 3-15, specifically lines 3-6).

21.   Regarding claim 9, in accordance with claim 6, Chang et al. disclose the method
wherein said loading of said content is effected from a network element to said terminal
device mobile equipment part (col. 21, lines 17-24).

22.   Regarding claim 10, in accordance with claim 6, Chang et al. disclose the

method wherein said content is cached in said terminal device for later events (col. 13,

lines 34-39).

23.   Regarding claim 11, in accordance with claim 2, Chang et al. disclose the

method wherein said registered profile within the subscriber profiles state is maintained

in the service control entity (col. 21, lines 17-21).

24.   Regarding claim 12, in accordance with claim 11, Chang et al. disclose the

method wherein the selection of said registered profile is communicated to the service

control entity by said browsing means (col. 21, lines 11-17).

25.   Regarding claim 13, in accordance with claim 12, Chang et al. disclose the

method wherein the selection of said registered profile is communicated to the service

control entity by the content issuing a USSD or SMS message to said network, the

network communicating the registered profile to the service control entity (col. 21, lines

11-17).

26.   Regarding claim 14, in accordance with claim 12, Chang et al. disclose the

method wherein the selection of said registered profile is communicated to the service

control entity by the content issuing a WSP/HTTP post method (wireless session

protocol/hypertext transfer protocol) to said network, the network communicating the

registered profile to the service control entity (col. 21, lines 11-17).

27.   Regarding claim 15, in accordance with claim 2, Chang et al. disclose the

method wherein said services states within the subscriber profiles state are maintained

in the service control entity (col. 21, lines 17-21).

28.   Regarding claim 16, in accordance with claim 2, Chang et al. disclose the

method wherein said services states within the subscriber profiles state are maintained

partly in the service control entity and partly in the GSM registers (col. 21, lines 20-27).

29.   Regarding claim 17, in accordance with claim 15, Chang et al. disclose the

method wherein a change in said services states is communicated to the service control

entity by said browsing means (col. 21, lines 11-17).

30.   Regarding claim 18, in accordance with claim 17, Chang et al. disclose the

method wherein a change in said services state is communicated to the service control

entity by the content issuing a USSD or SMS message to said network, the network

communicating the registered profile to the service control entity (col. 21, lines 11-17).

31.   Regarding claim 19, in accordance with claim 17, Chang et al. disclose the

method wherein a change in said services state is communicated to the service control

entity by the content issuing a WSP/HTTP post method (wireless session

protocol/hypertext transfer protocol) to said network, the network communicating the

registered profile to the service control entity (col. 21, lines 11-17).

32.   Regarding claim 20, in accordance with claim 1, Chang et al. disclose the

method wherein the selection of the subscriber profile to be used for a terminated call is

performed by issuing a content push to said browser means; user interacting with the

content; selected subscriber profile indicated to said server entity (col. 21, lines 11-17

and col. 20, lines 54-60).

33.   Regarding claim 21, in accordance with claim 20, Chang et al. disclose the

method wherein the selection of the profile to be used for a terminated call is prompted

from the user when the calling party dials a number not explicitly indicating the subscriber profile for the incoming call (col. 20, lines 28-30 and 47-58, col. 10, lines 7-9 and 15-19).

34.   Regarding claim 22, in accordance with claim 1, Chang et al. disclose the method wherein the modifying of the state of the subscriber profiles includes the control of the execution of each service (col. 19, lines 59-62).

35.   Regarding claim 23, in accordance with claim 6, Chang et al. disclose the method wherein first the capabilities of the said terminal device (MS) and/or user agent capabilities are indicated to said server entity; the said content is selected on the said server entity based on the said capabilities; the said selected content is downloaded to the said terminal device (col. 20, lines 47-58).

36.   Regarding claim 24, in accordance with claim 23, Chang et al. disclose the method wherein the capabilities of the said terminal device and/or user agent capabilities are indicated to said server entity if the mobile equipment part of the said terminal device has changed since the latest power off of the said terminal device (col. 20, lines 47-58).

37.   Regarding claim 25, in accordance with claim 23, Chang et al. disclose the method wherein first said content is downloaded to said terminal device, if it is discovered that such content is not already stored in said terminal device (col. 20, lines 60-63).

38.   Regarding claim 26, in accordance with claim 25, Chang et al. disclose the method wherein information on the downloaded services is inquired from said terminal

device (MS) and the downloading of said content is performed only if it is not among said downloaded services (col. 20, lines 47-63, specifically lines 60-63).

39.   Regarding claim 27, in accordance with claim 1, Chang et al. disclose the method wherein said content discovers the capabilities of said network when the user attaches to the network or enters the area of a new service switching device (col. 20, lines 47-58).

40.   Regarding claim 28, in accordance with claim 27, Chang et al. disclose the method wherein said content modifies the said user interface for the control of a multiple subscriber profiles feature in accordance with said capabilities of said network (col. 20, lines 54-58).

41.   Regarding claim 30, in accordance with claim 8, Chang et al. disclose the method wherein the capabilities of the said terminal device (MS) and/or browsing means are checked and compared to the capability requirements of said content before said loading; and if the capability requirements are not satisfying, downloading said content from said network (col. 21, lines 13-20).

42.   Regarding claim 31, in accordance with claim 1, Chang et al. disclose a system for providing a user interface between a terminal device and a communication network for configuring intelligent network services, said system being adapted to operate according to the method according to claim 1 (col. 13, lines 7-39, specifically lines 7-11).

Claim Rejections - 35 USC § 103

43.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

44.   Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. as applied above, in view of what was well known at the time of invention, being Applicant admitted prior art (AAPA), incorporation of such functional subject matter being obvious to someone of ordinary skill in the art at the time the invention was made.

45.   Regarding claim 29, Chang et al. disclosed the invention substantially as claimed as detailed above. However, Chang et al. did not expressly disclose the support of the Camel feature version for the service switching device.   In the AAPA (see Specification, page 1, lines 14-18 and 29-31), applicant discloses the common use of the CAMEL service in related art. One of ordinary skill in the art would have been motivated to use the Camel feature version in order to efficiently distribute call set-up related messages and other signaling communications (Chang et al., col. 6, lines 4-14, and AAPA, lines 29-31).

Conclusion

46.   The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schultz (U.S. 6,058,175) discloses the method and device for managing services in a telecommunications network.

Boland et al. (U.S. 6,353,621) disclose the method to allow seamless service to mobile subscribers across various mobile switching centers supporting multiple intersystem standards.

Hartmeier et al. (U.S. 5,978,672) disclose mobility extended telephone application programming and method of use.

Qureshi et al. (U.S. 5,920,820) disclose combined home location register and service control point for a cellular telecommunications network.

Gupta et al. (U.S. 6,226,516) disclose a method for invoking dynamically modifiable subscriber services and an intelligent telecommunication network incorporating the same.

Waters et al. (U.S. 6,115,746) disclose distributed control of AIN and non-AIN switches and resources in an advanced intelligent network.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin A. Ailes, whose telephone number is (571)272-3899. The examiner can normally be reached on Monday-Friday (7:30-5).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Harvey can be reached at (571)272-3896. The fax phone number for the organization where this application or proceeding is assigned is (703)872-3906.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [benjamin.ailes@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Benjamin Ailes
Patent Examiner
Art Unit 2142

JACK D. HARVEY
SUPERVISORY PATENT EXAMINER